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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Eighteenth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)*
OF THE 9th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 1 May 1998, at 12.30 p.m.

Chairperson: Mr. ALSTON

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* The summary record of the first part (closed) of the meeting appears as document E/C.12/1998/SR.9.

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GE.98-15939 (E)

The public part of the meeting was called to order at 12.30 p.m.

ORGANIZATION OF WORK (agenda item 2) (continued)

Methods for the consideration of reports submitted by States parties

1. The CHAIRPERSON, summarizing the discussion held in the informal working group on the methods to be followed for the consideration of States parties' reports, said that the new formula adopted when preparing the list of issues to be taken up in connection with the consideration of the initial report of Sri Lanka (E/1990/5/Add.32) seemed satisfactory. He suggested that the Committee should continue to identify priority concerns in the future, on the understanding that some issues, although obviously important, would not necessarily be included in the list of priority concerns for considering the situation in a given country. That approach would enable the Committee to draft concluding observations that were both concise and well-targeted and to tell the Government what its priority concerns were in the particular case.

2. The discussion had also considered the appropriateness of holding an informal meeting prior to the examination of a State party's report. It was essential to proceed in a more orderly manner to ensure that the questions asked were not always the same. Each member of the Committee would nevertheless retain the right to put a question on any article of the Covenant. It would be useful for a Committee member well versed in a subject to frame specific questions concerning the information received and for other members to put any supplementary questions that were felt appropriate. The questions should deal only with subjects calling for answers that could be evaluated objectively, such as the maternal mortality rate or the proportion of the population with access to primary health-care services. That system had worked well for the consideration of the report of Nigeria. Its implementation required a certain flexibility. The country rapporteur, who knew the subject best, could perhaps begin by informing the other members about the situation and outlining the key points. The discussion could then take place having regard for the country situation.

3. Concerning the role of the country rapporteur, it might perhaps be desirable in future for another expert to assist the rapporteur, serving as a kind of co-rapporteur.

4. It had been agreed in the informal working group that the country analyses, which contained a wealth of information, should be consulted more systematically. A way should perhaps be found to update those documents at the last minute, even if the initial text had to be prepared well before the working group met.

5. Lastly, an informal group should be established to reflect on the questions to be asked concerning article 15 so that the Committee could draw useful conclusions from them.

6. He invited the members of the Committee to give their opinions on the methods of work to be followed for the consideration of reports submitted by States parties.

7. Mr. MARCHAN ROMERO suggested that the alternate of the country rapporteur should collate any last-minute information received by the Committee and briefly review that information for the benefit of the other members of the Committee.

8. The CHAIRPERSON endorsed that idea. The co-rapporteur could thus draw attention to documents that were of most interest to the Committee.

9. Mr. TEXIER said that the establishment of the informal working group was an excellent thing, since it helped to expedite the consideration of a State party's report. Regarding the list of issues, however, he wondered whether it would not be more advisable to follow the new procedure only for the consideration of periodic reports and whether the established practice would not be better for initial reports giving information on the general situation in the country.

10. He approved of the new procedure inaugurated during the consideration of the report of Nigeria, whereby one expert put very specific questions concerning an article or part of an article of the Covenant, and then the other experts asked any supplementary questions. That saved time and enhanced the effectiveness of the Committee. The new procedure should be further refined.

11. The idea of designating a co-rapporteur, who would not necessarily be a member of the working group, was worthwhile since that approach would make it possible for experts of the Committee unable to participate in the pre-sessional working group to ensure that a country's report was examined in greater depth by assisting the rapporteur for that country.

12. The documents furnished by the secretariat on the situation in a reporting country were certainly satisfactory, but they were not always up to date. They also tended to draw a little too heavily on reports by the United States Department of State, which was after all only one of many information sources. It would be preferable to use a variety of sources, but the real point was that an expert needed to be attached to the Committee to work on issues of substance. That would further enhance the Committee's effectiveness.

13. Mr. WIMER said that, in his view, the Committee could not request delegations to produce statistics at the last minute. Even the most developed countries were unable to do so. If the country had provided good answers to the questions raised, there was no reason to ask it for statistics. He would like the working group to look into that question.

14. Mrs. JIMENEZ BUTRAGUEÑO said that she shared Mr. Texier's view concerning the new presentation of the list of issues to be taken up in connection with the consideration of a country's report. It was indeed difficult when examining an initial report to draw up a list of the Committee's priority concerns. The informal meetings held by the Committee represented a step forward. She proposed that a Committee member conversant with a particular subject should in future be chosen, in the light of his or her experience and expertise, to address the issue in greater depth. Efforts should also be made to update the country analyses.

15. Mr. RIEDEL agreed with Mr. Texier that a distinction had to be made between an initial report and periodic reports when preparing the list of issues to be taken up in connection with the consideration of reports. Further thought should also be given to the question of the time devoted to considering the two parts of the list of issues and it would be advisable not to spend too much time on "priority concerns" at the expense of "other matters".

16. Mrs. BONOAN-DANDAN said that she, too, was very interested in the distinction made by Mr. Texier regarding the treatment of a report depending on whether it was an initial report or a periodic report. Flexibility should be shown in the matter. It should also be decided during the current session at what point the Committee would adopt the new method of work, which involved dividing the list of issues into two parts, one dealing with "priority concerns" and the other with "other matters".

17. Mr. ADEKUOYE inquired whether the secretariat could not prepare a summary of the concluding observations concerning a country to serve as the basis for dialogue with the delegation during the consideration of the next report.

The meeting rose at 1.05 p.m.